



**PLEASE POST BEFORE
9:00 AM – March 26, 2010**

NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

******PUBLIC NOTICE******

REGULAR BOARD MEETING

APRIL 6, 2010 @ 6:00 PM

***** MINUTES *****

I. CALL TO ORDER (Discussion/Action) Daniel Curtis, D.O., Chairman

Roll call was made by Dr. Curtis with the following present at the meeting and a quorum was declared.

Board Members:

Dan Curtis, D.O.
James Anthony, D.O., J.D.
Paul Kalekas, D.O.
Rota Rosaschi, M.P.A. – Public Member
Paul Edwards, Esq. – Public Member

Board Staff:

Dianna Hegeduis, Esq., Executive Director/Board Counsel
Barbara Longo, Deputy Executive Director

Public:

Don Havins, M.D., J.D.
Denise Selleck-Davis, NOMA
Maria Nutile, Esq.
Andrea Thorsteinsson, Esq.

***II. +APPROVAL OF MINUTES FROM MARCH 2, 2010 AND MARCH 11, 2010
(Discussion/Action) Daniel Curtis, D.O., Chairman***

A motion was made by Dr. Curtis to approve the minutes as drafted, seconded by Dr. Anthony. Discussion was requested; and Member Rota Rosaschi recommended that we note that the IBM assigned to the specific cases had recused himself/herself, rather than merely assuming that the public would understand that the IBM had recused himself/herself in each case. The motion was revised to include accepting Ms.

Rosaschi's recommendation; and the motion carried - - minutes were approved as revised pursuant to Ms. Rosaschi's recommendations.

III. +CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS (Discussion/Action) Daniel Curtis, D.O., Chairman

Under this item the board may consider the recommendations of the Executive Director and/or President to grant licensure to the below listed applicants. The board may remove any applicant's name from the consent motion, but may not discuss the contents of the application for licensure without the applicant present following proper notice pursuant to the open meeting law. **No name was removed from the consent agenda.**

Consent agenda to grant FULL LICENSURE to the following applicants

Physician Name	Specialty
Thomas Alfreda, D.O.	Internal Medicine
Michael Blake, D.O.	Emergency Medicine
Malynda Calkins PA-C	Supervisor Denis Patterson, D.O.
Lauren Donatelli-Seyler, D.O.	General Surgery
Donald Gandy, D.O.	Internal Medicine
James Greenfield, D.O.	Family Practice
Camela Maupin, PA-C	Supervisor Eric Wolfson, D.O.
Brandon Nguyen, D.O.	Pain Management
Michael Spagnuolo, D.O.	Orthopedic Surgery
Falgun Trivedi, D.O.	Internal Medicine
Amit Valera, D.O.	Internal Medicine

Special License: (EFFECTIVE UPON APPROVAL):

Scott Barnes, D.O.	UMC
Stephen Bayuk, D.O.	UMC
Harjot Dhingra, D.O.	Kingman/Sunrise
Sarah Shepherd, D.O.	Kingman/Sunrise
Thomas Sichi, D.O.	Kingman/Sunrise

Reinstatement of License	Specialty
Nigel DaSilva, D.O.	Family Practice

A motion was made by Dr. Kalekas to approve these licenses, seconded by Dr. Anthony, and approved by the Board.

NOTE: Items IV through XVI pertain to cases involving NRS 633.527 and/or NRS 633.131(1). **Facts and circumstances will vary from case to case as well the amounts of the fines imposed depending upon such facts, circumstances, and/or violations.

IV. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING KEVIN BROWN, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. Brown has one lawsuit with a recommended fine of \$500. A motion was made by Dr. Anthony to approve the settlement agreement, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

V. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING JOHN DAVIS, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. Davis has one lawsuit in AZ with inaccurate information on the renewal applications. There is a recommended fine of \$750.00. A motion was made by Dr. Anthony to approve the settlement agreement, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

VI. +CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT & ORDER REGARDING DONALD MORANDO, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. Morando has one lawsuit in Kentucky and inaccurate renewal application. There is a recommended \$500 fine. A motion was made by Dr. Anthony to approve the settlement agreement, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

VII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING VIRGINIA BURNETT, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. Burnett has one lawsuit and inaccurate renewal application. There is a recommended \$500 fine. A motion was made by Dr. Anthony to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

VIII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MARK WEISBERG, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. Weisberg has one lawsuit (which is still pending) and inaccurate renewal application. There is a recommended \$500 fine. A motion was made by Dr. Anthony to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

IX. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MICHELLE CONGER, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. Conger has one lawsuit and inaccurate renewal application. There is a recommended \$500 fine. A motion was made by Dr. Anthony to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

X. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT

TERMS REGARDING SON BUI, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. Bui has two lawsuits and inaccurate renewal application. There is a recommended fine of \$750. A motion was made by Dr. Anthony to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

XI. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING GARY DESHAZO, D.O., IBM CURTIS (Discussion/Board may go into closed session)

Dr. DeShazo has two lawsuits and a recommended fine of \$1,000. A motion was made by Dr. Anthony to approve the settlement agreement and order of fulfillment, seconded by Ms. Rosaschi, and approved by the Board. The IBM was recused from voting.

XII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING JASON TARNO, D.O., IBM MILNE (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

Dr. Jason Tarno has one lawsuit and a recommended fine of \$500. A motion was made by Dr. Curtis to approve the settlement agreement and order of fulfillment, seconded by Dr. Kalekas, and approved by the Board. The IBM was not present at this meeting.

XIII. +CONSIDERATION/APPROVAL OF PROPOSED SETTLEMENT AGREEMENT & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING JOYCE PINCKARD, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

Dr. Pinckard has one lawsuit and a recommended fine of \$500. A motion was made by Dr. Curtis to approve the settlement agreement and order of fulfillment, seconded by Dr. Anthony, and approved by the Board. The IBM was recused from voting.

XIV. +CONSIDERATION & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MICHAEL JENKINS, D.O., IBM ROSASCHI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

Dr. Jenkins had an issue with Montana licensing board and a recommended fine a \$500 that is now paid in full. A motion was made by Dr. Curtis to approve the order of fulfillment, seconded by Dr. Anthony, and approved by the Board. The IBM was recused from voting.

XV. +CONSIDERATION & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING DAVID WIKLER, D.O., IBM MANTHEI (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

Dr. David Wikler had a recommended fine of \$1,500, which is paid in full. A motion was made by Dr. Kalekas to approve the order of fulfillment, seconded by Dr. Curtis, and approved by the Board. The IBM was not present at this meeting.

XVI. +CONSIDERATION & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING GREG FIHN, D.O., IBM EDWARDS (Discussion/Board may go into closed session) Daniel Curtis, D.O., Chairman

Dr. Fihn had a recommended fine of \$500, which is paid in full. A motion was made by Dr. Curtis to approve the order of fulfillment, seconded by Dr. Kalekas, and approved by the Board. The IBM was recused from voting.

XVII. +CONSIDERATION & ENTRY OF ORDER OF FULFILLMENT OF SETTLEMENT TERMS REGARDING MING-WEI WU, D.O. (Discussion/Action/Board may go into closed session.) Daniel Curtis, D.O., Chairman. Lisa Miller Roche, Esq., was the IBM of this matter at the time of settlement.

The Board members are familiar with this physician against whom 5 complaints were filed by the board. Rather than proceed to hearing on all of the cases, the parties settled. The order of fulfillment of the settlement agreement's terms/conditions is before the board for approval; namely: these disciplines have been completed - public reprimand; the requirement that he attend certain continuing medical education courses that had hands-on training; obtain an assessment at a program sanctioned by the Federation of State Medical Boards equipped to assess a surgeon's skills; and reimburse the Board for fees and costs incurred. All of such terms/conditions have been fulfilled. Additionally, as a further commitment to this Board and his patients, Dr. Wu is trying to take the American Osteopathic Board of Surgery clinical examination to become board certified/this is the third and final step to becoming board certified. Dr. Wu has also agreed to allow us to randomly review the medical records pertaining to his care and treatment of patients for the next two years and from time to time as the board desires. Because of the fulfillment of the terms and the conditions, an order of fulfillment is warranted. There was a discussion regarding his full license privileges. It was confirmed that he has full privileges.

Ms. Nutile indicated she had not further to add to the presentation.

A motion was made by Dr. Kalekas to approve the order of fulfillment, seconded by Dr. Anthony; discussion was had and the order was approved by the Board. Dr. Curtis as the former IBM was recused from voting and Ms. Miller-Roche is no longer a member of the board.

XVIII. EXECUTIVE DIRECTOR'S/DEPUTY DIRECTOR'S REPORT/ Staff Report

- a. QuickBooks Balance Sheet, P&L - - provided to the board for review.
- b. Licensing and Enforcement Information - - provided to the board for review.
- c. \$25 fine for failure to notify Board of change of address - board notified that staff is beginning to assess fines when licensees fail to notify the board of an address change.
- d. The FSMB meeting is April 21 in Chicago. Mrs. Hegeduis, Dr. Kalekas, and Mr. Edwards will be attending.

XIX. LEGAL REPORT (Discussion/Action) Christine Parvan, DAG, Board Prosecutor

No Comments.

XX. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

The NAC's should be approved by the IHCC and may be ready to be approved by the Board at the May meeting.

XXI. PRESIDENT/CHAIRMAN Report on Board Business, Daniel Curtis, D.O.

Dr. Curtis stated that we did a summary suspension last week and we are having a hearing on May 1 and May 2, 2010. Mrs. Hegeduis explained that we requested that a physician check himself into a treatment facility as an inpatient; we gave him until March 31, 2010, and he did not do so. On April 1, 2010 Dr. Curtis signed an order of summary suspension based upon Palmetto's Centers recommendation that before the doctor returns to the practice of medicine that he receives in-patient treatment. Since he failed to do so, we felt he was a danger to society and to his patients, warranting summary suspension. In addition to the Palmetto report, one of the hospitals in Northern Nevada suspended his privileges claiming issues of patient care and possibility of an addiction, and a disruptive behavior. Based upon the medical report from Palmetto, working with Dr. Mansky, and the suspension of his hospital privileges, summary suspension was necessary.

XXII. PUBLIC COMMENT

Dr. Havins mentioned that FSMB issued a report ranking the states and their discipline. This Board's numbers have improved. The worst 10 states and the best 10 states were identified.

A motion was made by Dr. Curtis to adjourn the meeting and seconded by Dr. Kalekas.

Approved at the 05/04/10 Board meeting.